

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON**

LAWRENCE E. DIXON,

Plaintiff,

v.

DR. MUHAMMAD E. ZEEM,  
LEW. STERRETT JAIL, LEW.  
STERRETT COUNTY MEDICAL  
DEPARTMENT and THE CITY OF  
DALLAS TEXAS,

Defendants.

NO: 2:15-cv-00167-JPH

REPORT AND RECOMMENDATION  
TO TRANSFER CASE TO  
NORTHERN DISTRICT OF TEXAS

BEFORE THE COURT is the Plaintiff's *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff, a prisoner in Rusk, Texas, seeks leave to proceed *in forma pauperis*. This is Plaintiff's second civil rights complaint submitted to this Court raising similar issues. *See* 2:13-CV-00423 -TOR.

Because it appears that Mr. Lawrence's claims arose in the Northern District of Texas, and the addresses of all the named Defendants are in the

REPORT AND RECOMMENDATION TO TRANSFER CASE TO NORTHERN  
DISTRICT OF TEXAS -- 1

1 Northern District of Texas, **IT IS RECOMMENDED** that this case be  
2 **TRANSFERRED** to the United States Court for the Northern District of Texas  
3 pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1406. This Court has made no  
4 determination regarding Plaintiff's application to proceed *in forma pauperis*.

### 5 **OBJECTIONS**

6 Any party may object to a magistrate judge's proposed findings,  
7 recommendations or report within fourteen (14) days following service with a  
8 copy thereof. Such party shall file written objections with the Clerk of the  
9 Court and serve objections on all parties, specifically identifying the portions to  
10 which objection is being made, and the basis therefor. Any response to the  
11 objection shall be filed within fourteen (14) days after receipt of the objection.  
12 Attention is directed to Fed. R. Civ. P. 6(e), which adds additional time after  
13 certain kinds of service.

14 A district judge will make a de novo determination of those portions to  
15 which objection is made and may accept, reject, or modify the magistrate  
16 judge's determination. The judge need not conduct a new hearing or hear  
17 arguments and may consider the magistrate judge's record and make an  
18 independent determination thereon. The judge may, but is not required to,  
19 accept or consider additional evidence, or may recommit the matter to the  
20 magistrate judge with instructions. *United States v. Howell*, 231 F.3d 615, 621

1 (9th Cir. 2000); 28 U.S.C. § 636(b)(1)(B) and (C), Fed. R. Civ. P. 72; LMR 4,  
2 Local Rules for the Eastern District of Washington.

3 A magistrate judge's recommendation cannot be appealed to a court of  
4 appeals; only the district judge's order or judgment can be appealed.

5 **IT IS SO RECOMMENDED.** The District Court Executive is directed  
6 to enter this Report and Recommendation, forward a copy to Plaintiff and SET  
7 A CASE MANAGEMENT DEADLINE ACCORDINGLY.

8 DATED July 8, 2015.

9 s/ James P. Hutton

10 James P. Hutton

11 United States Magistrate Judge  
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